

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

KEITH JENNINGS,

Petitioner,

v.

5:03-cv-1207

UNITED STATES OF AMERICA,

Respondent.

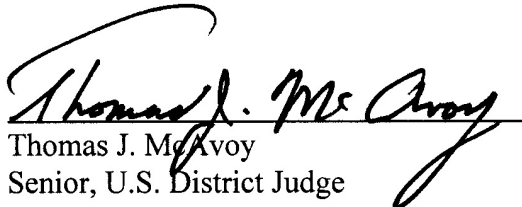
THOMAS J. McAVOY
Senior United States District Judge

DECISION and ORDER

Petitioner Keith Jennings seeks a Certificate of Appealability pursuant to 28 U.S.C. § 2253(c). A certificate of appealability should be issued when a petitioner "make[s] a substantial showing of the denial of a federal right." Barefoot v. Estelle, 463 U.S. 880, 881-82. Having failed to show that he has been denied a federal right, the request for a Certificate of Appealability is DENIED.

IT IS SO ORDERED.

Dated: September 13, 2007


Thomas J. McAvoy
Senior, U.S. District Judge